

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|------------------------------|---|------------------------|
| IN RE: | : | |
| Emmanuel Thomas Tenor Duncan | : | Chapter 7 |
| Deborah Lynne Warner Duncan | : | |
| | : | Case No.: 23-13820-MDC |
| Debtor (s) | : | |

MOTION TO CONVERT CASE FROM CHAPTER 7 TO CHAPTER 13

Emmanuel Thomas Tenor Duncan and Deborah Lynne Warner Duncan (the “Debtor”), by and through their undersigned counsel, hereby submits this Motion to Convert Chapter 7 Case to Chapter 13, and in support thereof respectfully state the following:

1. The Debtors filed a voluntary petition for relief under chapter 7 of the bankruptcy code on December 19, 2023 (the “Petition Date”).
2. As of the Petition Date, Debtor Emmanuel Thomas Thenor Duncan was unemployed and did not have any income whatsoever.
3. Subsequent to the filing, Debtor Deborah Lynne Warner Duncan disclosed additional income information and pay statements.
4. Upon further review of the Debtors’ total household income, and in light of the previously undisclosed income statements, the undersigned determined that the Debtors income is above median and therefore ineligible to proceed in a chapter 7 case.
5. Accordingly, the Debtors intend to proceed under a chapter 13 case, and understand that their current monthly disposable income will be determined and calculated to pay general unsecured creditors.
6. The Debtors shall promptly file a Chapter 13 Plan, and the necessary Amended Schedules to proceed under Chapter 13 of the Bankruptcy Code.

WHEREFORE, the Debtors respectfully request this Honorable Court enter an
Order converting this chapter 7 case to a chapter 13 case.

Dated: January 31, 2024

Respectfully submitted,

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